

# **EXHIBIT 6**

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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION  
  
CORY SPENCER, an individual )  
DIANA MILENA REED, an individual; )  
and COASTAL PROTECTION RANGERS, )  
INC., a California non-profit )  
public benefit corporation, )  
Plaintiffs, )  
vs. ) Case No. 2:16-cv-  
LUNADA BAY BOYS; THE INDIVIDUAL ) 02129-SJO (RAOx)  
MEMBERS OF THE LUNADA BAY BOYS, )  
including but not limited to SANG )  
LEE, BRANT BLAKEMAN, ALAN JOHNSTON )  
AKA JALIAN JOHNSTON, MICHAEL RAE )  
PAPAYANS, ANGELO FERRARA, FRANK )  
FERRARA, CHARLIE FERRARA, and )  
N. F.; CITY OF PALOS VERDES )  
ESTATES; CHIEF OF POLICE JEFF )  
KEPLEY, in his representative )  
capacity; and DOES 1-10, ) VOLUME II  
Defendants. )  
\_\_\_\_\_ )

VIDEOTAPED DEPOSITION OF THE CITY OF PALOS VERDES  
ESTATES BY AND THROUGH ANTON DAHLERBRUCH  
Thursday, July 13, 2017 9:11 a.m.

REPORTED BY: Debra Kottke, CSR #7422, RPR, CCRR

ATKINSON-BAKER, INC.  
COURT REPORTERS  
(800) 288-3376  
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FILE NO.: AB074C9

1 those?

2 A. They were both taken to the city council and  
3 approved through the city council. It could have  
4 been 2014, but it was in the 2014-'15 time period.

5 Q. Okay. And in terms of -- do these policies 09:19:45  
6 have a specific reference to volunteers for the city?

7 MR. GLOS: Objection, vague. You can answer.

8 THE WITNESS: I'd have to check again to see.

9 BY MR. FRANKLIN:

10 Q. And in terms of the non-discrimination 09:20:26  
11 efforts, during your deposition individually as a  
12 person, Anton Dahlerbruch, we spoke briefly about  
13 some of the covenants and restrictions that are in  
14 place for homeowners in the City of Palos Verdes  
15 Estates. 09:20:54

16 Do you recall that?

17 A. Our discussion?

18 Q. Yes.

19 A. Yes.

20 Q. And one of the discussions or part of that 09:21:01  
21 I'd asked about the covenants that the Palos Verdes  
22 homes association had put in place dating back to  
23 when the development started in 1923 related to  
24 restrictions on selling homes to people of color and  
25 allowing people of color to visit residents. 09:21:27

1 Do you recall that?

2 A. Yes.

3 Q. And at the time you were unfamiliar with it?

4 A. I don't recall not being unfamiliar with it.

5 Q. Okay. So, is your testimony today you knew 09:21:41  
6 about that policy or you knew about those covenants?

7 How long have you known about those  
8 covenants that were in the deed restrictions for  
9 Palos Verdes homes association?

10 MR. GLOS: Just objection, vague, ambiguous. 09:21:55  
11 You can answer.

12 THE WITNESS: You know, I have known for some  
13 time. I don't recall when I was first informed.

14 BY MR. FRANKLIN:

15 Q. And when I say covenants, there are lots of 09:22:08  
16 covenants. I'm not interested in the ones about  
17 trees or that type of thing. When I say covenants  
18 here I'm referring to the ones related to the  
19 race-related restrictions.

20 Do you understand that? 09:22:23

21 A. Yes, okay.

22 Q. And to your knowledge, did you have an  
23 understanding when the Palos Verdes homes association  
24 finally took action to repeal that covenant?

25 A. I know they have repealed it. I do not know 09:22:36

1 when that occurred.

2 Q. So, if I told you it wasn't until 2000 you  
3 wouldn't know either way?

4 A. That's correct.

5 Q. And did the city pass any resolutions on its 09:22:50  
6 own related to that covenant in terms of rebuking it  
7 or saying that type of thing's not okay in the city?

8 A. I'm not aware -- put it this way, the  
9 covenants do not apply to the city. They don't --  
10 it's a separate -- the homes association is a 09:23:12  
11 separate, independent organization. Their covenants  
12 would not affect the city. I'm not aware of the city  
13 having interaction with the homes association on that  
14 matter.

15 Q. And is it fair to say you're not aware of 09:23:28  
16 the city taking -- if that's the case, it's fair to  
17 say the city hasn't taken an official position in  
18 terms of rebuking that particular covenant?

19 A. I'm not aware.

20 Q. And do you have any knowledge whether or not 09:23:48  
21 if an illegal covenant like that was in place in your  
22 city whether the city attorney could have taken  
23 separate action to force the Palos Verdes homes  
24 association to take action earlier than 2000?

25 A. I'm a little bit confused on the question. 09:24:14

1 STATE OF CALIFORNIA )  
2 ) ss.  
3 COUNTY OF ORANGE )  
4

5 I, DEBRA KOTTKE, Certified Shorthand Reporter,  
6 Certificate No. 7422, for the State of California,  
7 hereby certify:

8 I am the deposition officer that  
9 stenographically recorded the testimony in the  
10 foregoing deposition;

11 Prior to being examined, the deponent was by me  
12 first duly sworn;

13 The foregoing transcript is a true record of the  
14 testimony given;

15 Before completion of the deposition, review of  
16 the transcript [ ] was [X] was not requested. If  
17 requested, any changes made by the deponent (and  
18 provided to the reporter) during the period allowed  
19 are appended hereto.

20  
21 Dated: July 18, 2017.  
22

23  
24 Debra Kottke  
25 Debra Kottke, CSR #7422, RPR, CCRR